

January 30, 1979

Memo to File:

RE: Interstate Brick  
Koosharem Clay Pit  
Piute County, Utah  
ACT/031/002

Mr. Don Fullmer visited with Division personnel Cleon Feight, Ron Daniels, and Jim Smith on January 26, 1979, to discuss the matter of posting a bond for total reclamation of the Koosharem Clay Pit while operations are "temporarily" suspended.

Mr. Fullmer faces possible cancellation of his state leases if the Division of State Lands does not have a bond to cover total reclamation of the area involving state land.

Interstate Brick, the operator under a sublease agreement from Mr. Fullmer, terminated the agreement and performed a limited reclamation effort, at the request of Mr. Fullmer, to leave the clay resource exposed for possible future development. The U.S. Forest Service approved this limited reclamation and released a \$10,000.00 surety posted by Interstate Brick.

The State requires that a bond be posted during this suspension period to insure that total reclamation of the state property will occur if new development does not take place.

Mr. Fullmer does not agree with the bond estimate of \$4,548.00 and does not feel that a bond is even necessary in light of the fact that the Forest Service accepted the limited reclamation and released the bond. He feels that the Division should perform another field inspection in the spring and reevaluate the situation. If the Division still requires a bond, it is his opinion that Interstate Brick should put up the bond.

Correspondence from Interstate Brick's Assistant General Manager, Mr. Harvey Cahoon, indicates that they were willing to completely reclaim the area as required by law but limited reclamation at Mr. Fullmer's request. Therefore, they feel that Mr. Fullmer should be the party responsible for posting the bond or performing any additional reclamation that may be necessary.

Mr. Fullmer requested that we write a letter to the Division of State Lands asking that they postpone any action concerning his leases until such time as we can visit the site and reach some sort of decision on the matter.

JWS  
JAMES W. SMITH, JR.  
RECLAMATION SOILS SPECIALIST

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